



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

ch

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,115	08/10/2000	Adrian Grah	1400.4100276	6371
25697	7590	12/13/2007		
ROSS D. SNYDER & ASSOCIATES, INC. PO BOX 164075 AUSTIN, TX 78716-4075			EXAMINER CAO, CHUN	
			ART UNIT 2115	PAPER NUMBER
			MAIL DATE 12/13/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/636,115	GRAH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chun Cao	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 October 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 3-19 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 and 16-19 is/are withdrawn from consideration.
- 5) Claim(s) 1 and 3-5 is/are allowed.
- 6) Claim(s) 11 and 13-15 is/are rejected.
- 7) Claim(s) 12 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

1. Claims 1 and 3-19 are presented for examination. Claims 6-10 and 16-19 are withdrawn from further consideration as being drawn to a non-elected invention.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (Kim), U.S. patent no. 5,648,953 in view of Applicant Admitted Prior Art (AAPA).

As per claim 11, Kim teaches a method comprising the steps of:  
receiving a first activity flag value from a first activity latch [flip flop 12, fig. 4] of a first line card circuit [fig. 4];  
receiving an incoming clock signal [MCK];  
providing an outgoing clock signal [output of AND gate 13] as the synchronization source dependent on the first activity flag value [col. 5, lines 25-33, col. 12, lines 6-16].  
an activity latch [flip flop 12, fig. 4] for holding an activity flag value; and

a logic element [AND gate 13, fig. 4] operatively coupled to the activity latch to receive an incoming clock signal [MCK] and to provide an outgoing clock signal [output of AND gate 13], the outgoing clock signal being dependent on the activity flag value [col. 5, lines 25-33, col. 12, lines 6-16].

Kim does not explicitly teach a plurality of line card circuits.

AAPA teaches a method for selecting a synchronization source among a plurality of line card circuits [page 2, lines 8-29].

It is obvious to one of ordinary skill in the art to combine Kim and AAPA because the specific teaching of AAPA would improve the functionality of Kim system to implement the specific teaching of Kim in AAPA system.

As per claim 13, Kim teaches of passing the incoming clock signal as the outgoing clock signal when the first activity flag value has a passing value [col. 5, lines 25-33, col. 12, lines 6-16].

As per claim 14, Kim teaches of blocking the incoming clock signal when the first activity flag value has a blocking value [col. 5, lines 25-33, col. 12, lines 6-16].

As per claim 15, Kim teaches of providing a static output level as the output clock signal when the first activity flag value has a blocking value [col. 5, lines 25-33, col. 12, lines 6-16].

***Allowable Subject Matter***

5. Claims 1 and 3-5 are allowed.

6. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments filed on 10/9/2007 have been fully considered but are moot in view of new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dec. 11, 2007



CHUN CAO  
PRIMARY EXAMINER

**Index of Claims**

**Application/Control No.**

09/636,115

**Applicant(s)/Patent under Reexamination**

GRAH ET AL.

**Examiner**

Chun Cao

**Art Unit**

2115

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>(Through numeral) Cancelled</b>
+	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claim	Date	
Final	Original	
1	=	12/11/07
2		
3	11	
4	=	
5	=	
6	~	
7	1	
8	1	
9		
10	~	
11	✓	
12	0	
13	✓	
14	✓	
15	✓	
16	~	
17	~	
18	~	
19	~	
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		

Claim	Date	
Final	Original	
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

Claim	Date	
Final	Original	
101		
102		
103		
104		
105		
106		
107		
108		
109		
110		
111		
112		
113		
114		
115		
116		
117		
118		
119		
120		
121		
122		
123		
124		
125		
126		
127		
128		
129		
130		
131		
132		
133		
134		
135		
136		
137		
138		
139		
140		
141		
142		
143		
144		
145		
146		
147		
148		
149		
150		